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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

Daniel Pina, individually,  
  
Plaintiff,  
  
v.

United States of America ex rel United  
States Postal Service; Does Driver,  
individually; Does Companies 1 through 10;  
and Does 11 through 20, inclusive,  
  
Defendants.

Case No. 2:22-cv-01946-ART-MDC

**Stipulation and Order to Schedule  
Settlement Conference and  
Stay Remaining Deadlines**

Pursuant to LR 26-3 and the Court's inherent power, the parties respectfully request that the Court set this matter for a settlement conference and stay the remaining discovery deadlines.

This action arises under the Federal Tort Claims Act ("FTCA") for alleged injuries to Plaintiff arising from a May 28, 2020, vehicle verses pedestrian accident. The parties believe that a settlement conference may lead to a resolution of this case. The parties have completed discovery and cutoff for discovery is January 31, 2024. The only remaining deadlines are those of February 29, 2024, for dispositive motions and March 4, 2024, for the proposed joint pretrial order.

Without waiver or binding admission against either party, the parties submit that it would conserve their resources, as well as those of the Court, if the settlement conference for

1 this matter were held before dispositive motions, if any, and preparation of the proposed joint  
2 pretrial order.

3 A district court has wide latitude in controlling discovery, *Volk v. D.A. Davidson & Co.*,  
4 816 F.2d 1406, 1416–17 (9th Cir. 1987), as well as the inherent power to stay causes on its  
5 docket to avoid duplicative litigation, inconsistent results, and waste of time and effort, *Stern v.*  
6 *United States*, 563 F. Supp. 484, 489 (D. Nev. 1983) (Supreme Court citations omitted).

7 If this case were not resolved at the settlement conference, the parties agree to submit  
8 within 14 days thereafter a new, proposed schedule for dispositive motions and the proposed  
9 joint pretrial order.

10 Taking into accounts their schedules and obligations in other cases, the parties propose  
11 the following dates for a settlement conference:

12 See forthcoming order

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1 Accordingly, the parties respectfully request that the Court grant this stipulation and  
2 thereafter issue a separate order setting the date, details, and requirements for the settlement  
3 conference and stay the remaining discovery deadlines.

4 Respectfully submitted this 9th day of January 2024.

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6 LERNER & ROWE INJURY  
7 ATTORNEYS

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11 *Attorneys for Plaintiff*

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12 /s/ Virginia T. Tomova  
13 VIRGINIA T. TOMOVA  
14 Assistant United States Attorney

*Attorneys for Federal Defendants*

15 **IT IS SO ORDERED:**

16 UNITED STATES MAGISTRATE JUDGE

17 **DATED:** 1-16-2024  
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